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**PERSONAL AND CONFIDENTIAL****To:** Examiner Kagnev Gebreyesus**From:** Gary Baker

USPTO, Group 1656

**Fax:** 571 273-2937**Date:** May 5, 2008**Phone:****Pages:** 4 including cover**Re:** USSN 10/530,421**our file:** 54-000170US

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**Dear Examiner Gebreyesus,****Attached is a copy of the Terminal Disclaimer we mailed on Tuesday, the 29th.****Thanks for expediting this case,****Gary Baker 510.769-3510**

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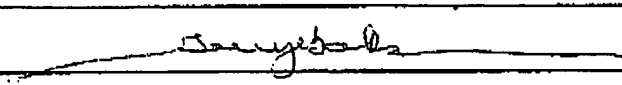
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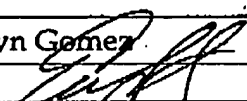
PTO/SB/21 (05-03)  
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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/530,421
	Filing Date	April 5, 2005
	First Named Inventor	Peter G. Schultz
	Group Art Unit	1656
	Examiner Name	Kagnew H. Gebreyesus
Total Number of Pages in This Submission	Attorney Docket Number	54A-000170US


ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input checked="" type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): receipt acknowledgment postcard
<b>Authorization to Charge Deposit Account</b> Please charge Deposit Account No. 50-0893 for any additional fees associated with this paper or during the pendency of this application, including any extensions of time for consideration of the documents enclosed.		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Gary Baker, Reg. No. 41,595, Quine Intellectual Property Law Group P.C.
Signature	
Date	April 29, 2008

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, DC 20231 on this date:			
Typed or printed name	Evelyn Gomez	Date	4/29/08
Signature			

MAY 05 2008

(Modified) PTO/SB/26 (10-96)  
Approved for use through 10/31/99. OMB 0651-0031

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PENDING APPLICATION		Docket Number (Optional) 54A-000170US
In re Application of:	Peter G. Schultz et al.	
Application No.	10/530,421	
Filed:	May 4, 2005	
For:	SITE SPECIFIC INCORPORATION OF KETO AMINO ACIDS INTO PROTEINS	
<p>The owner, The Scripps Research Institute, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term, defined in 35 U.S.C. 154 to 156 and 173, of U.S. Patent Number. 6,927,042 (said patent). The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and said patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of said patent in the event that said patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.</p> <p>Check either box 1 or 2 below, if appropriate</p> <p>1. <input checked="" type="checkbox"/> For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> <p>2. <input type="checkbox"/> The undersigned is an attorney of record.</p> <div style="text-align: right;"> _____ Signature</div> <div style="text-align: right;">4/24/2008 _____ Date</div> <div style="text-align: center;">Thomas Fitting, Chief Patent Counsel _____ Typed or printed name</div> <p><input checked="" type="checkbox"/> Terminal disclaimer fee under 37 CFR 1.20(d) is included.</p> <p>*Certification under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/98 may be used for making this certification. See MPEP §324.</p>		

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Please stamp the date of receipt of the following document(s) and return this card to

RE: Status Inquiry for SITE SPECIFIC INCORPORATION OF KETO AMINO ACIDS INTO PROTEINS

TITLE OF DOCUMENT(S):

- Transmittal
- Terminal Disclaimer
- Acknowledgement postcard

Application No. 10/530,421

File No. 54A-000170US

Date Mailed 29 April 2008

Atty/Secty. GB/emg